

REMARKS

The Examiner's indication of allowability of claims 6-7, 9, 11-14, 16-17 and 21 is noted with appreciation.

Claims 6-7, 9, 11-14, 16-17, 21, 35-46 and 48-61 are pending in the application. Claims 53 and 55 have been amended to correct their dependency. Claims 58-61 have been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments.

The 35 U.S.C. 112, *first paragraph* rejection of claims 35-46 and 48-57 as failing to comply with the written description requirement is traversed, because the application as filed provides both *explicit and implicit* support for the claim language at issue, i.e., "a substrate made of a first material having a first hardness and a cut-resistant anti-slip coating made of a second material having a second hardness greater than the first hardness."

The application as filed provides explicit support for the claim language at issue, disclosing that the substrate can be made of plywood and chip board and the coating includes aggregate made of aluminum oxide. *See* page 4, the last line and page 5, line 21 of the specification. A person of ordinary skill in the art would at once recognize that the coating made of aluminum oxide has a hardness greater than that of the substrate made of plywood and chip board.

The application as filed provides implicit support for the claim language at issue through its consistent terminology. The application as filed discloses that the substrate is shapeable through cutting. *See*, for example, original claim 1 and Abstract. This means the substrate is *cuttable*. The application as filed also discloses that the coating is *anti-cutting*. *See* for example original claim 1. Thus, a person of ordinary skill in the art, looking at the terms that are consistently used to describe the substrate and coating of the present invention, would at once recognize that the coating has a hardness greater than that of the substrate.

The present invention also provides implicit support for the claim language at issue through its discussion of the prior art problems and means for overcoming the problems. The present invention is related to anti-slip panels generally described in page 1 of the specification as filed. The anti-slip panels in the field of the present invention are described to have anti-slip coatings made of very hard, sharp particulate material which makes the anti-slip coating very difficult to cut or drill on-site, even if advanced tools, such as angle grinders, diamond cutters, carbide-tipped twist drills and similar special tools, are used. See page 1, lines 1-29 of the specification. The present invention overcomes this disadvantage by providing a pattern of cuttable lines in the cut-resistant, anti-slip coating on the substrate and subsequently cutting the substrate along selected lines to obtain a desired panel shape. See original claim 1, and page 2, the last paragraph. The cuttable lines are provided to avoid cutting through the coating while the coated substrate is being cut. See page 3, lines 5-10 and page 5, the last line of the specification. Thus, a person of ordinary skill in the art, would at once recognize that the coating has a hardness greater than that of the substrate, because otherwise it would be unnecessary to avoid cutting through the coating while the coated substrate is being cut.

The Examiner's observation in page 4, lines 4-8 of the Office Action is noted. Although the disclosed hardness ranges might not be easily comparable and might not provide explicit support for the claim language at issue, the *overall disclosure* of the application as filed does provide support, both explicitly and implicitly, for the claim language as discussed above.

Withdrawal of the 35 U.S.C. 112, *first paragraph* rejection of claims 35-46 and 48-57 is believed appropriate and therefore courteously solicited.

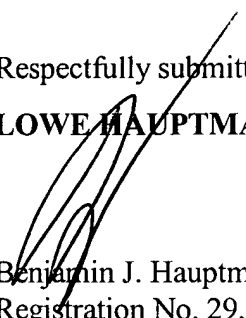
The Examiner is requested to carefully consider the information cited in the IDS filed March 3, 2004, submitting the references cited by USPTO in the divisional application No. 10/222,991.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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